

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 30, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SKEGGI HILDOLF KATRINSSONR
and BODHI,

Plaintiffs,

v.

CHERYL STRANGE, LISA FLYNN,
DAWN TAYLOR, and ZILVINAS
JAKSTAS,

Defendants.

No. 4:23-CV-5139-TOR

ORDER DISMISSING ACTION FOR
FAILURE TO COMPLY WITH
FILING FEE OR *IN FORMA*
PAUPERIS REQUIREMENTS

Plaintiffs Skeggi Hildolf Katrinssonr and Bodhi, both prisoners currently housed at the Coyote Ridge Corrections Center ("CRCC"), filed this *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 on October 11, 2023. ECF No. 1. Upon filing the complaint, neither Plaintiff paid the \$402.00 filing fee to commence an action ((\$350.00 filing fee, plus \$52.00 administrative fee) or properly sought leave to proceed *in forma pauperis*.

ORDER DISMISSING ACTION FOR FAILURE TO COMPLY WITH FILING
FEE OR *IN FORMA PAUPERIS* REQUIREMENTS -- 1

1 By letters dated October 12, 2023, the Clerk of Court advised Plaintiffs that
2 they each needed to complete and file a Declaration and Application to Proceed *in*
3 *forma pauperis* and supplied them with the forms. ECF Nos. 4 and 5. The Clerk
4 of Court advised Plaintiffs that they each also needed to provide statements of their
5 inmate accounts for the six-month period immediately preceding the submission of
6 their complaint on October 11, 2023. *Id.*

7 On November 13, 2023, this Court issued an Order Denying Plaintiffs'
8 Motion for Preliminary Injunction, Etc. ECF No. 13. The Court ordered Plaintiffs
9 to either properly file for *in forma pauperis* status or pay the filing fee of \$402.00
10 on or before December 4, 2023. *Id.* at 6. The Court cautioned that failure to comply
11 with these directives would result in dismissal of this action. *Id.*

12 Plaintiffs did not comply with these directives. Instead, on November 24,
13 2023, Plaintiffs submitted a Notice to inform the Court that they were returning the
14 Application to Proceed *In Forma Pauperis*, declaring the application to be in
15 "violation of Federal law in reference to Federal Poverty Guidelines." ECF No. 19.
16 Thus, Plaintiffs have clearly indicated that they will not comply with the Court's
17 instructions.

18 Accordingly, for the reasons set forth above and in the Court's prior letters
19 and Order, ECF Nos. 4, 5 and 13, **IT IS ORDERED** that this action is **DISMISSED**

1 **WITHOUT PREJUDICE** for failure to comply with the filing fee and *in forma*
2 *pauperis* requirements of 28 U.S.C. §§ 1914 and 1915.


3 The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal of this
4 Order would not be taken in good faith and would lack any arguable basis in law or
5 fact.

6 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order,
7 enter judgment, provide copies to both Plaintiffs at their last known addresses, and
8 **CLOSE** the file.

9 **DATED November 30, 2023.**



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THOMAS O. RICE
United States District Judge